

IN THE UNITED STATES DISTRICT COURT
FOR THE _____ DISTRICT OF _____
_____ DIVISION

(Write the District and Division, if any, of
the court in which the complaint is filed.)

DANIEL W. COUNCIL pro se

(Write the full name of each plaintiff who is filing
this complaint. If the names of all the plaintiffs
cannot fit in the space above, please write "see
attached" in the space and attach an additional
page with the full list of names.)

-against-

U.S BANK NATIONAL ASSOCIATION

J.P. MORGAN CHASE BANK

MICHAEL LUBES ANTHONY D. SOTTILE

(Write the full name of each defendant who is
being sued. If the names of all the defendants
cannot fit in the space above, please write "see
attached" in the space and attach an additional
page with the full list of names.)

Complaint for a Civil Case

Case No. **1:22 CV 00760**

(to be filled in by the Clerk's Office)

Jury Trial: ☐ Yes ☐ No
(check one)

FILED

MAY 11 2022

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
AKRON

JUDGE FLEMING

MAG. JUDGE BAUGHMAN

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>DANIEL W. COUNCIL pro SE</u>
Street Address	<u>1794 TREETOP TRAIL APTA</u>
City and County	<u>AKRON and SUMMIT</u>
State and Zip Code	<u>OHIO 44313</u>
Telephone Number	<u>(330) 328-9166</u>
E-mail Address	<u>council01@yahoo.com</u>

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	<u>SOTTILE & BARLIE ATTORNEYS AT LAW</u>
Job or Title (if known)	<u>ANTHONY D. SOTTILE</u>
Street Address	<u>7530 LUCERNE DRIVE, SUITE 210</u>
City and County	<u>MIDDLETOWN HEIGHTS, OHIO 44130</u>
State and Zip Code	<u>OHIO 44130</u>
Telephone Number	<u>440-572-1511</u>
E-mail Address (if known)	<u></u>

Defendant No. 2

Name	<u>U.S. JP MORGAN CHASE BANK, N.A.</u>
Job or Title (if known)	<u>SUCCESSOR by MERGER with CHASE HOME FINANCE</u>
Street Address	<u>1300 EAST NINTH STREET</u>
City and County	<u>CLEVELAND, OHIO</u>

State and Zip Code OHIO 44114
 Telephone Number _____
 E-mail Address _____
 (if known) _____

Defendant No. 3

Name MICHAEL LUBES
 Job or Title COUNSEL
 (if known) _____
 Street Address 7530 LUCERNE DRIVE SUITE 210
 City and County MIDDLEBURG HEIGHTS, OHIO
 State and Zip Code OHIO 44130
 Telephone Number 440-572-1511
 E-mail Address _____
 (if known) _____

Defendant No. 4

Name ARMOURGIS & ASSOCIATES
 Job or Title COUNSEL
 (if known) _____
 Street Address 3200 WEST MARKET SUITE 106
 City and County AKRON, OH 44333
 State and Zip Code OHIO 44333
 Telephone Number (330) 535-6650
 E-mail Address _____
 (if known) _____

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☐ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, *(name)* _____, is a citizen of the State of *(name)* _____.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated under the laws of the State of *(name)* _____, and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, *(name)* _____, is a citizen of the State of *(name)* _____. Or is a citizen of *(foreign nation)* _____.

b. If the defendant is a corporation

The defendant, (name) _____, is
incorporated under the laws of the State of (name)
_____, and has its principal place of
business in the State of (name) _____. Or is
incorporated under the laws of (foreign nation)
_____, and has its principal place of
business in (name) _____.

*(If more than one defendant is named in the complaint, attach an
additional page providing the same information for each additional
defendant.)*

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant
owes or the amount at stake—is more than \$75,000, not counting interest
and costs of court, because (explain):

THE AMOUNT FOR THE RESIDENCE TOTAL \$131,360

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as
briefly as possible the facts showing that each plaintiff is entitled to the damages or other
relief sought. State how each defendant was involved and what each defendant did that
caused the plaintiff harm or violated the plaintiff's rights, including the dates and places
of that involvement or conduct. If more than one claim is asserted, number each claim
and write a short and plain statement of each claim in a separate paragraph. Attach
additional pages if needed.

I BELIEVE THERE WAS MALPRACTICE TAKEN PLACE
WITH LEGAL STANDARDS IN REPRESENTING A CLIENT.
DID NOT FOLLOW ESTABLISH RULES BY FAILING TO PROVIDE
EFFECTIVE REPRESENTATION AND CONDUCT. THE PREPARATION
WAS NEGLECTFUL, NEGLIGENT AND UNETHICAL.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

FIRST I ASK FOR RECOVERY OF PROPERTY THROUGH TRANSFER OF DEATH DEED
SECOND I ASK RELIEF FOR EMOTIONAL DISTRESS \$85,000
THIRD I ASK RELIEF FOR RECOVERY FROM LOSS OF POSSESSIONS
\$79,000

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: _____, 20__.

Signature of Plaintiff

Printed Name of Plaintiff

DANIEL W. COUNCIL PRO SE

B. For Attorneys

Date of signing: _____, 20__.

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

Telephone Number

E-mail Address
